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**AUG 03 2005**

**OFFICE OF PETITIONS**

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INCAPLAW  
1050 Rosecrans Street, Suite K  
San Diego CA 92106

In re Application of  
J. M. LIPSIT  
Application No.: 09/724,577  
Attorney Docket No.:470.US

: DECISION on PETITION  
:  
: UNDER 37 CFR 1.137(b)  
:

This is a decision on the petition under 37 CFR 1.137(b), filed July 23 2004 to revive the above-identified application.

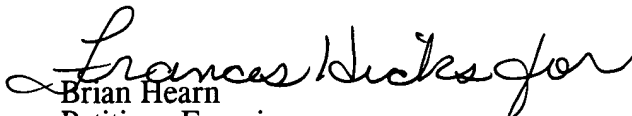
The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to non-final Office action mailed October 3, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned on 04 January 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment, (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of October 3, 2003 is accepted as having been unintentionally delayed.

The application is being referred to Technology Center AU 2682.

Telephone inquiries concerning this decision should be directed to Cynthia Kratz at (571) 272-3286 or in her absence, the undersigned at (571) 272-3217.

  
Brian Hearn  
Petitions Examiner  
Office of Petitions